

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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RICARDO BRENES,

Plaintiff,

-against-

THE CITY OF NEW YORK et al.,

Defendants

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ORDER

01-cv-3943
(TLM) (LB)

MELANÇON, Visiting District Judge:

Before the Court is the parties' Stipulation and Order Regarding Change to Briefing Schedule [Rec. Doc. 149], in which the parties state that they have agreed to extensions of the briefing schedule beyond those previously granted by the Court's Order of October 19, 2009 [Rec. Doc. 137]. The Court is not impressed. Judges set deadlines, not lawyers.

When this case was assigned to the undersigned Visiting United States District Judge, on July 8, 2009, it had been more than eight years since the initial complaint was filed. One month later, on August 13, 2009, the Court issued an Order [Rec. Doc. 134] reopening discovery in the case on plaintiff's Due Process claim, and authorized the parties to propose a discovery schedule, which they did on August 19, 2009. The Schedule [Rec. Doc. 135] provided, *inter alia*, that all dispositive motions were to be filed on or before December 4, 2009, responses were to be filed on or before January 8, 2010, and replies, if any, were to be filed on or before January 22, 2010.

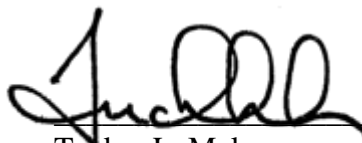
On October 15, 2009, the parties filed a letter [Rec. Doc. 136] requesting a modification of the discovery schedule they had submitted to the Court, and proposed a new schedule, which would have extended each of the above deadlines by roughly *four* (4) months. By Order of October 19,

2009 [Rec. Doc. 137], the Court denied the extension as requested, but extended each of the above deadlines by six (6) weeks, thereby setting them at January 15, February 19, and March 5, 2010, respectively. Considering the history of this proceeding, it is

ORDERED that the parties' Stipulation and Order Regarding Change to Briefing Schedule [Rec. Doc. 149] will not be approved or endorsed by the Court.

IT IS FURTHER ORDERED that the current briefing schedule remains in place **AND WILL NOT BE EXTENDED.**

IT IS FURTHER ORDERED that all dispositive motions are to be filed on or before January 15, 2010, responses are to be filed on or before February 19, 2010, and replies, if any there be, are to be filed on or before March 5, 2010.


Tucker L. Melançon
United States District Judge

December 23, 2009
Brooklyn, NY